

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

United States of America,)	Cr. No. 3:07-882-01 (CMC)
)	
v.)	
)	ORDER
Noah Devone Sumter,)	
)	
Defendant.)	
_____)	

Pursuant to this court's Order of August 20, 2019 (ECF No. 118), the Government has filed a Supplemental Response (ECF No. 119) and counsel for Defendant filed a Supplemental Motion to Reduce Sentence under First Step Act of 2018 (ECF No. 120). The court has reviewed these documents, in addition to all documents previously submitted in this matter, and has determined to impose a reduced sentence of 235 months' incarceration, but not less than time served, and eight years' supervised release.

In deciding this matter, the court has considered the reduced statutory range (10 years to Life), the reduced term of supervise release applicable (at least eight years), the advisory guideline range (235-293 months) (*see* SRR, ECF No. 114), as well as the § 3553(a) factors and post-sentencing behavior and mitigation.

On the positive side, Defendant has successfully completed a significant number of Education Courses while in the BOP and maintained positive family support. On the negative side, Defendant has incurred 14 disciplinary infractions.

Although his statutory range is reduced, his guideline range remains the same, and he is currently serving a 264-month sentence, which is a mid-guideline range sentence. His conduct leading to this conviction occurred less than two years after his release from the BOP on a previous

conviction and during his term of supervised release. During his arrest he attempted to flee, ramming his vehicle into vehicles belonging to a citizen and an officer. When apprehended he was in possession of crack cocaine, powder cocaine, marijuana, and over \$6,000 in cash.¹

Defendant was found to be a career offender, but was already a criminal history category VI based on 13 criminal history points. His offense level for the drugs was higher than the career offender guideline.

Defendant has received credit for time served since June 19, 2007 and his projected release date is January 13, 2027. His original sentence of 360 months was reduced twice, first to 292 months (Rule 35(b)) and later to 264 months (Amendment 782). He is 38 years old.

Weighing the entire record, the court imposes a reduced sentence of 235 months' incarceration, but not less than time served, and eight years' supervised release, as the court finds this sentence is sufficient, but not greater than necessary, to achieve the purposes of sentencing.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
September 23, 2019

¹ This was Defendant's second arrest while on supervised release.